

# Leamington & Warwick British Sub-Aqua Club

## B.S.A.C. Branch no. 217

### CLUB RULES

1. **Title:** The title of the Club shall be 'Leamington and Warwick branch of the British Sub-Aqua Club' hereinafter called the 'Club'.
2. **Objectives:** To promote and foster sub-aqua diving and snorkelling in accordance with the rules and regulations of the British Sub-Aqua Club ('BSAC').
3. **Management:** The Club shall be governed by a management committee consisting of four different officers and seven other members, all of whom shall be elected at the AGM and shall hold office for one year only, but shall be eligible for re-election. The four officers may not hold their positions for more than three consecutive years. The officers shall be: Chairman, Secretary, Treasurer and Diving Officer. Full members only shall be eligible for selection as officers or member of the committee.

The committee shall meet as often as required but normally once a month. The officers must be nominated at a date not later than seven days prior to the **Annual General Meeting** ('AGM'), on a list provided for the purpose on the Club notice board. The list, together with the date of the AGM, shall be posted on the notice board not later than fourteen days prior to the date on which the nominations close. Nominations must be duly proposed and seconded and the candidates consent be obtained beforehand. In the event of there being insufficient nominations as prescribed in these rules, further nominations may be accepted at the AGM. Members of the committee shall be elected by ballot at the AGM.

4. The Club year shall begin on the 1<sup>st</sup> January. The AGM is to be held in the month of January, for the purpose of:
  - a) Receiving and adopting the Annual Report of the committee, the Annual Statement of Accounts and the Balance for the past year,
  - b) Election of Officers,
  - c) Election of seven other members for the committee,
  - d) Transacting any other business.

At least 14 days notice of the AGM must be given to each member in writing. Twenty members or 20% of the members shall form a quorum at the AGM.

5. The committee shall have the power to fill by co-option any vacancy arising during the year, appoint any necessary sub-committee and the Chairman and Secretary shall be an *ex-officio* member of all sub-committees.
6. **Property and funds:** All property of the Club shall remain in the ownership of the Club subject to debts and liabilities of the Club and are not be used for the direct or indirect private benefit of members other than as reasonably allowed by the rules of the Club. All surplus income or profits are to be reinvested in the club.

The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, travel expenses and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

The Club may also in connection with the sports purposes of the Club:

- a) sell and supply food, drink and related sports clothing and equipment;
- b) employ members (but not for participating in sports) and remunerate them for providing goods and services on fair terms set by the Committee without the person concerned being present;
- c) pay for reasonable hospitality for visiting guests;
- d) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

The Committee will have due regard to the law on discrimination and child protection.

7. **Winding up:** The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- The Committee will then be responsible for the orderly winding up of the Club's affairs.
- After settling all liabilities and debts of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
- a) to the Royal National Lifeboat Institution (RNLI);
  - b) to another club with similar sports purposes which is a registered charity and/or;
  - c) to another club with similar sports purposes which is a registered CASC and/or;
  - d) to the Club's governing body for use by them for related community sports.
8. The general and financial management of the Club shall be in the hands of the committee who shall make a report to the AGM of the work of the Club during the previous year. At its first meeting it shall appoint an Assistant Diving & Training Officer and Scientific & Equipment Officer, together with any other position deemed necessary at the time of that meeting. At any meeting of the committee, six elected members shall form a quorum.
9. The committee shall have power to make such bylaws and regulations consistent with the general rules of the Club as may appear necessary for its well being. All such bylaws shall be posted on the Club notice board.
10. A **Special General Meeting** ('SGM') of the Club may be called at any time by a resolution of the committee or by written resolution signed by twelve current members. Such resolution or written resolution must be sent to the Secretary and must state in terms of a resolution at that meeting. At least fourteen days notice, in writing, must be given and a copy of the resolution or resolutions to be proposed must be sent to all members of the Club. No other business may be discussed at such meetings, at which at least twenty members or 20% of the members shall form a quorum.
11. As far as possible the **Chairman** shall preside at all meetings of the committee, AGM and SGM, up until the announcement of the result of the ballot for the position of Chairman held at the AGM. He/she shall hold a casting vote to be used at his/her discretion. He/she shall prepare and submit a report to the member of the Club at the AGM.
12. The **Secretary** shall administer the day-to-day general business and affairs of the Club, attend to the correspondence of the Club, keep records of business transacted at committee meetings, general meetings, and the AGM. He/she shall be responsible for the convening of meetings and posting of notices to members. He/she shall prepare and submit a report to the members of the Club at the AGM.
13. It shall be the **Treasurer's** duty to administer the financial affairs of the Club including the collection of subscriptions and the keeping of accounts. He/she shall prepare and submit a report on the Club's financial affairs at the AGM and shall supply each member with a copy of the accounts and balance sheet of the Club. The Club's financial year shall be from 1<sup>st</sup> January to the 31<sup>st</sup> December.
14. The **Diving Officer** of the Club shall be elected annually at the AGM from candidates whose qualification complies with the rules of the BSAC. He/she shall be responsible for the training, examination and promotion of all members of the Club, in accordance with rules of the BSAC. He/she shall report to the committee at each meeting and report to the AGM.
15. The **Welfare Officer** has the main responsibility for managing child and vulnerable adult protection issues within the Club: specifically to communicate and promote the BSAC welfare policy and procedures, and to encourage good practice to all members.
16. All proposals for committee meetings shall be posted to the Secretary with the names of the proposer and seconder not less than seven days before the meeting. Matters for discussion must be posted to the Secretary not less than seven days prior to the meeting. All other matters to be discussed in any other business at the discretion of the Chairman. Members of the Club may attend committee meetings at the discretion of the Chairman.
- Any member may be co-opted onto the committee in a non-voting capacity by a majority vote of committee members.
17. **Membership:** Persons desiring membership of the Club shall be admitted on payment of the appropriate fees and providing that the Committee do not refuse or remove membership, such refusal or removal only being made for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members of the Club.

Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

Any change in the branch membership fee shall only be made following a vote of acceptance by members at the AGM, or at an SGM convened for that purpose. Any minor alteration in membership fees caused by taxation or similar causes may be passed onto members at the discretion of the committee.

18. **Membership – Criminal Records Bureau (CRB) Checks:** Members applying for new or renewed membership of the Club (in any/all of the capacities listed below) will be required to give their permission for their criminal record to be checked through the Criminal Records Bureau. Original results will be sent to the member in question. A copy will be sent to the BSAC Welfare Officer, or other nominated person, who will then provide a “yes/no” answer to the question:

*“The applicant will have significant contact with children and vulnerable adults. Is there anything within this person's criminal record that suggests that they are not suitable for BSAC membership?”*

No other correspondence on this issue will be entered into.

Applicable capacities:

- a) All instructors  
That is, those who have attended the Instructor Training Course (ITC) / Instructor Foundation Course (IFC) and wish to act as instructors within the Club;
- b) Diving, Training, Membership and Welfare Officers.

*NOTE: Branches of the BSAC that include the above clause in their bye-laws are required to provide the minutes of the adopting meeting to BSAC, and to confirm continued acceptance at each subsequent AGM. Only those branches that properly record their adoption and annual re-acceptance of this clause will be allowed access to the services of the CRB through the BSAC.*

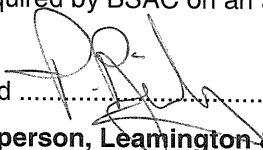
19. **Discipline:** Where a member of the Club commits a serious breach of diving discipline or endangers his/her own or any member's life or property or fails to comply with the direction of the Diving Officer, his/her assistant or nominated marshal with regard to diving discipline or safety, that member shall be immediately suspended from membership of the Club by the Diving Officer, his/her assistant, nominated marshal or any elected committee member.
20. All members shall behave in a responsible manner at all Club meetings or any premises used by the Club and shall comply with the rules of the Club and the rules of BSAC. Any member failing to comply with this rule may be brought before the committee and dealt with in accordance with rule 21.
21. Any member suspended from membership of the Club or brought to the attention of the committee for a breach of the rules may be dealt with by the committee by:
- a) being cautioned by the Chairman or a committee member nominated by the Chairman, or;
  - b) suspension from membership or any privilege of membership for a period not exceeding three months, or;
  - c) being dismissed from membership of the Club on the majority vote of the elected committee members.
22. No member suspended from membership may be reinstated except on the majority vote of the committee. Any member suspended shall be served with a notice informing him/her of his/her suspension as soon as is practicable and that he/she may not partake in any Club activities or claim on the club's facilities whilst so suspended.
23. Any member in breach of rule 19 and/or 20 may appeal against the action taken under rule 21 within 14 days of the committee meeting at which that action was taken by supplying written notice of appeal to the Secretary.

24. Members in breach of these rules may be given the opportunity of attending the committee meeting but the matter may be dealt with by in his/her absence at the discretion of the Chairman.
25. Any member dismissed from the Club may be reimbursed with a proportion of his/her branch membership fee on a majority vote of the committee. If such action is authorised, the moneys reimbursed shall be proportionate to the number of months or parts of a month remaining from the date of dismissal.
26. **Juniors:** A Junior Member shall be as defined by the BSAC and shall be eligible for membership of the Club subject to the vacancies prevalent and restrictions on the minimum age which may be made on a majority vote of the committee. The termination of a junior section of the Club may be made by the majority vote of the committee. Junior Members may not vote on matters affecting elections or Club policy. They may only vote on other matters at the discretion of the Chairman.
27. **General:** Any matters arising during the Club year not provided by these rules shall be dealt with by the committee but if any immediate decision is required, the Chairman shall be empowered to act on behalf of the committee in consultation with any available members of the committee.
28. No alterations, amendments or additions to these rules shall be made except at an AGM or a properly convened SGM convened for that purpose. Notice of any proposed changes with the proposers and seconders names, must be given to the Secretary in writing at least 14 days before the date of the meeting and such notices must state in the form of a resolution, the changes proposed. Any such resolution to be carried must receive the votes of at least two-thirds of the members present at that meeting. Voting shall be confined to full members only.


Interpretation of all the above rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002).

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This is to certify that the above rules were adopted by a majority / unanimous vote of those members present at the Annual General Meeting held at Riverside on January 19<sup>th</sup>, 2009. The purpose being to confirm the continued acceptance of Rule 18 defining the requirements for Criminal Records Bureau checks, as required by BSAC on an annual basis.

Signed  ..... Dated 19 - Jan - 2009 .....

**Chairperson, Leamington & Warwick BSAC**

Signed  ..... Dated 19 - JAN - 2009 .....

**Secretary, Leamington & Warwick BSAC**